

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIE PAUL VIGIL, JR.,

Petitioner,

v.

JOE A. LIZZARAQA,

Respondent.

Case No. 1:20-cv-00404-JDP

ORDER TRANSFERRING CASE TO THE
SAN JOSE DIVISION OF THE NORTHERN
DISTRICT OF CALIFORNIA

Petitioner Willie Paul Vigil, Jr., a state prisoner without counsel, seeks a writ of habeas corpus under 28 U.S.C. § 2254. ECF No. 1. The petitioner is challenging a conviction from Santa Clara County, which is part of the United States District Court for the Northern District of California. Petitioner is currently incarcerated in Amador County, which is part of the Sacramento Division of this court. Under 28 U.S.C. § 2241(d), venue is proper in the judicial district where the petitioner was convicted or the judicial district where petitioner is incarcerated. Therefore, both the Northern District of California and the Sacramento division of this court have concurrent jurisdiction. *See* § 2241(d). However, because petitioner is attacking the validity of his Santa Clara County criminal sentence, we will transfer this case to the Northern District of California for the ease and convenience of the parties and the court. *See id.*

Pursuant to Local Rule 120(f), a civil action that has not been commenced in the

appropriate court may, on the court's own motion, be transferred. Therefore, we will transfer this action.

Order

1. This action is transferred to the United States District Court for the Northern District of California, San Jose division.

2. All future filings shall reference the new San Jose case number assigned and shall be filed at:

United States District Court for the Northern District of California
San Jose Division
Robert F. Peckham Federal Building and United States Courthouse
280 South 1st Street, Room 2112
San Jose, CA 95113

3. The court has not yet ruled on petitioner's outstanding motion for counsel. ECF No. 2.

IT IS SO ORDERED.

Dated: March 20, 2020


UNITED STATES MAGISTRATE JUDGE

No. 206.